

FD-158  
DMA (4-2005)

**United States District Court  
for the District of Massachusetts  
Petition and Affidavit for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** John Lingaitis**Case Number:** 05 CR 10171**Name of Sentencing Judicial Officer:** Honorable John Woodcock, USDJ (District of Maine); jurisdiction transferred to the District of MA on 7/7/05 and assigned to Honorable Nancy Gertner, U.S.DJ**Date of Original Sentence:** 10/12/04**Original Offense:** Theft of Firearms, Possession of Firearm by Prohibited Person, Possession of Stolen Firearms and Possession of Firearm with an Obliterated Serial Number, in violation of 18 U.S.C. § 922(u)(2), 922(g)(8), 922(j) and 922(k), respectively.**Original Sentence:** 16 months custody of the Bureau of Prisons followed by 36 months of supervised release**Type of Supervision:** Supervised Release**Date Supervision Commenced:** 3/7/05**Date Supervision Recommended:** 3/5/07**Asst. U.S. Attorney:** Antoinette E.M. Leoney**Defense Attorney:** James Mears

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**PETITIONING THE COURT**

- ☐ To issue a warrant  
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- |   |   |
|---|---|
| 1 | <b><u>Violation of Mandatory Condition:</u> The defendant shall not commit another federal, state or local crime.</b> |
|---|---|

On 10/25/07, John Lingaitis was arrested for shoplifting by officers with the Boston Police Department. Information taken from the police report indicated that Lingaitis entered Marshalls Department store on Boylston Street in Boston. While in the store, loss prevention personnel observed Lingaitis conceal in a shoulder bag two pairs of Timberland work boots and Thermogear warmers. The merchandise taken by Lingaitis totaled \$149.97. Lingaitis exited the store without making any attempt to pay for the concealed items, at which point, loss prevention escorted Lingaitis back into the store and contacted the police.

On 10/25/07, Lingaitis appeared for arraignment in Boston Municipal Court. Docket No: 07 CR 7247. He was ordered held on \$250 cash bail and ordered to return on 11/15/07 for further proceedings. On 10/26/07, Lingaitis posted bail and was released.

John Lingaitis  
Prob 120

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Petition and Affidavit for Warrant or Summons  
for Offender Under Supervision**II**      **Violation of Special Condition: The defendant is to reside for a period of five (5) months in a community corrections center and shall observe the rules of that facility.**

In accordance with the Court's order, John Lingaitis was placed at the Coolidge House program on 6/19/07 and was scheduled to complete the program on 1/19/08. As a result of John Lingaitis' arrest and detention on the above referenced charge, Coolidge House terminated Lingaitis from their program on 10/26/07

**U.S. Probation Officer Recommendation:**

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the foregoing is true and correct.

Reviewed/Approved by:

*Brian McDonald (by PCP)*  
 Brian McDonald  
 Supervising U.S. Probation Officer

Respectfully submitted,

By

*Paul C. Prevey*  
 Paul C. Prevey  
 Senior U.S. Probation Officer  
 Date: 10/29/07

**THE COURT ORDERS**

- ☐ No Action  
☐ The Issuance of a Warrant  
☒ The Issuance of a Summons  
☐ Other

Signature of Judicial Officer

Date

*Paul G.*  
 11/7/07